

**Remarks**

Applicants request a reconsideration of the present patent application in view of the above amendments and following remarks. The abstract and claims 26 and 32-38 have been amended. Claims 1-25, 31 and 39-46 have been cancelled and claims 47-49 have been added. Therefore, claims 26-30, 32-38 and 47-49 are pending in the application.

The abstract has been amended so that it includes 150 words or less as required by MPEP 608.01(b). Therefore, Applicants request that the objection to the abstract be withdrawn.

Claim 26 has been amended to include the limitations of claim 31 and to state that the fuel reformer is positioned within the reformer zone. See *Specification*, pg. 4, lines 27-28. In addition, claim 26 has been amended to state that the fuel cell stack is positioned within the hot zone. See *Specification*, pg. 4, lines 23-25. Since the limitations in claim 31 have been incorporated into claim 26, claim 31 has been cancelled. Also, claims 32-38 have been amended to change their dependency from claim 31 to claim 26.

Claims 26, 29, 31 and 34-36 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,682,841 to Armstrong et al. ("the Armstrong reference"). Claim 31 has been cancelled, therefore the rejection of this claim is moot. Applicants respectfully traverse the rejection to the remaining claims.

Amended claim 26 is directed to a method of producing electricity at an auxiliary power unit in a vehicle. The method includes adding a fuel and a reactant to a fuel reformer, producing a reformat at the fuel reformer, introducing the reformat to a fuel cell stack, and producing electrical power at the fuel cell stack. The method also includes sensing a reformer zone temperature at a reformer zone, wherein the fuel reformer is positioned within the reformer zone, determining whether the reformer zone temperature is at a first selected temperature range, and adding a first process air flow to the reformer zone if the reformer zone temperature rises above the first selected temperature range. In addition, the method includes sensing a hot zone temperature at a hot zone, wherein the fuel cell stack is positioned within the hot zone, determining whether the hot zone temperature is at a second selected temperature range, and adding a second process air flow to the hot zone if the hot zone temperature rises above the second selected temperature range.

The Armstrong reference does not teach or suggest a method including a fuel reformer positioned within a reformer zone, and a fuel cell stack positioned within a hot zone as recited in amended claim 26. In rejecting the claims in the present application, the Examiner stated that the chamber (18) in the Armstrong reference teaches the reformer zone set forth in claim 26, and the waste energy recovery assembly (26) teaches the hot zone set forth in cancelled claim 31, which is now incorporated into claim 26. See *Office Action*, pgs. 3-4. While the reformer (22) in the Armstrong reference may be positioned within the chamber (18), the fuel cell stack (24) is not positioned within the waste energy recovery

assembly (26), which the Examiner has designated as the hot zone. Instead, both the reformer (22) and the fuel cell stack (24) are positioned within the same chamber (18), not separate reformer and hot zones as required in claim 26. Therefore, the system disclosed in the Armstrong reference does not allow the zones for the reformer and the fuel cell stack to be kept within first and second selected temperature ranges, respectively. See *Specification*, pg. 9, lines 5-12.

Since the Armstrong reference fails to teach all of the limitations included in amended claim 26, Applicants request that the rejection of claim 26 be withdrawn. As claims 29 and 34-36 depend from claim 26, these claims are also not taught or suggested by the Armstrong reference for at least the same reason set forth with respect to claim 26.

Claims 27, 28, 30, 32, 33, 37 and 38 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the Armstrong reference.

Claims 27, 28, 30, 32, 33, 37 and 38 depend from claim 26 and therefore include all of the limitations included therein. As such, Applicants submit that these claims are not taught or suggested by the Armstrong reference for at least the same reason set forth above with respect to claim 26. Therefore, Applicants request that the rejection of claims 27, 28, 30, 32, 33, 37 and 38 be withdrawn.

New claims 47-49 have been added to further define the invention set forth in claim 26. For instance, claim 47 states that at least one of the reformer zone and the hot zone are insulated enclosures. Claim 48 states that the hot zone is separated from the reformer zone by a thermal wall. Claim 49 states that

the first selected temperature range is about 300°C to about 500°C, and the second selected temperature range is about 600°C to about 800°C.

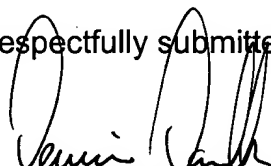
**Conclusion**

In light of the foregoing, Applicants submit that claims 26-30, 32-38 and 47-49 are in condition for allowance and such allowance is respectfully requested. Should the Examiner feel that any unresolved issues remain in this case, the undersigned may be contacted at the telephone number listed below to arrange for an issue resolving conference.

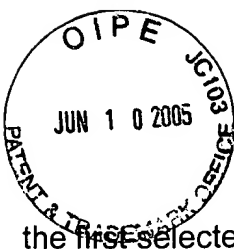
Applicants do not believe that any fee is due at this time. However, the Commissioner is hereby authorized to charge any fee that may have been overlooked to Deposit Account No. 10-0223.

Dated: 6/8/05

Respectfully submitted,

  
\_\_\_\_\_  
Dennis B. Danella  
Reg. No. 46,653

**JAECKLE FLEISCHMANN & MUGEL, L.L.P.**  
190 Linden Oaks  
Rochester, New York 14625-2812  
Tel: (585) 899-2930  
Fax: (585) 899-2931



the first selected temperature range is about 300°C to about 500°C, and the second selected temperature range is about 600°C to about 800°C.

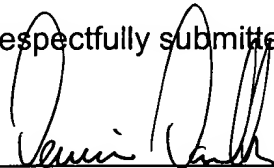
**Conclusion**

In light of the foregoing, Applicants submit that claims 26-30, 32-38 and 47-49 are in condition for allowance and such allowance is respectfully requested. Should the Examiner feel that any unresolved issues remain in this case, the undersigned may be contacted at the telephone number listed below to arrange for an issue resolving conference.

Applicants do not believe that any fee is due at this time. However, the Commissioner is hereby authorized to charge any fee that may have been overlooked to Deposit Account No. 10-0223.

Dated: 6/8/05

Respectfully submitted,

  
Dennis B. Danella  
Reg. No. 46,653

**JAECKLE FLEISCHMANN & MUGEL, L.L.P.**  
190 Linden Oaks  
Rochester, New York 14625-2812  
Tel: (585) 899-2930  
Fax: (585) 899-2931